

# **EXHIBIT J**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ROBBIE D. JONES,

Plaintiff,

v.

COMMISSIONER STAN TAYLOR,  
WARDEN RICK KEARNEY,  
SGT. BARRY BILES, and TIANA  
BANKS,

Defendants.

C.A. No. 04-1523-JJF

**AFFIDAVIT OF MIKE DELOY**

I, Mike Deloy, having been duly sworn by law, do hereby depose and state as follows:

1. I am employed by the State of Delaware Department of Correction ("DOC") as Warden at the Sussex Correctional Institution ("SCI"). I have been employed by the DOC since November of 1980 and as Warden of SCI since May of 2007. Prior to that, I held the position of Deputy Warden of SCI from October of 1996.

2. At the request of the Deputy Attorney General defending this matter, I had the personnel file of Sergeant Barry Biles reviewed for disciplinary history. Sergeant Biles has been working at SCI since 1998 and has no record of being disciplined while at SCI in his personnel file, including any record for assaulting an inmate.

3. All correctional officers are required to participate in a rigorous eight-week training program prior to becoming officers. This program includes basic defense training and training on the use of force module. Officers are then required to participate in a refresher course once every year on the use of force module.

4. Standard Operating Procedures at SCI and the Bureau of Prisons Policy and

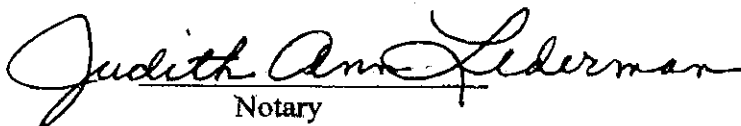
Procedures require that officers write an Incident Report when they effect or witness an incident involving the use of force. These procedures also require that when writing such report, the officers include the names of any other officers or inmates who were present and may have effected or witnessed the incident.

5. I have made these statements based upon my personal knowledge, specialized training, and experience as an employee of the Department of Correction.



Mike Deloy

SWORN AND SUBSCRIBED before me this 16<sup>th</sup> day of August, 2007.



Notary

JUDITH ANN LEDERMAN  
NOTARY PUBLIC, STATE OF DELAWARE  
My Commission Expires August 19, 2007